REMARKS

Summary of the Office Action

Claims 23, 25-29, 32-32, and 36-63 stand rejected under 35 U.S.C. § 103(a) as

allegedly being unpatentable over U.S. Patent No. 6,177,940 to Bond et al.

Claim 24 stands rejected under 35 U.S.C. § 103(a) as allegedly being

unpatentable over Bond et al. in view of U.S. Patent No. 6,149,585 to Gray.

Summary of the Response to the Office Action

Applicants have amended claims 23 and 25, and added new claim 64. No new

matter has been added. Accordingly, claims 23-29, 32-33, and 36-64 are pending for

consideration.

The Rejections under 35 U.S.C. § 103(a)

Claims 23, 25-29, 32-32, and 36-63 stand rejected under 35 U.S.C. § 103(a) as

allegedly being unpatentable over Bond et al. Further, claim 24 stands rejected under 35

U.S.C. § 103(a) as allegedly being unpatentable over Bond et al. in view of Gray.

To the extent that these rejections might still apply to the claims as newly amended,

Applicants respectfully traverse the rejections for at least the following reasons.

With respect to the rejection of independent claim 23 under 35 U.S.C. § 103(a),

Applicants submit that Bond et al. does not teach or suggest each and every element of

claim 23, as newly amended. Independent claim 23 recites, *inter alia*, a data processing

system that includes (i) an interviewing mechanism that "uses multiple interview

thresholds linked to the interview elements for controlling execution of the interview

elements," and (ii) an interviewing mechanism that "uses patient responses to the

screening questions to determine the multiple interview thresholds, wherein the multiple interview thresholds determine the branching structure of the patient interview." In other words, the thresholds control access to the interview elements, thereby determining the branching structure of the patient interview. At least these features of independent claim 23 are neither taught nor suggested by Bond et al.

In contrast, Bond et al. discloses a report generation system for conducting statistical analysis of individual data against group data. See column 1, lines 5-11 and column 4, lines 46-53. As disclosed at column 17, lines 34-50, the system includes menu-driven displays for presenting a static series of questions to the user. For example, Fig. 16 of Bond et al. discloses an interview question which the response thereto leads to a specific set of questions. Thus, Bond et al. fails to teach or suggest a data processing system that includes (i) an interviewing mechanism that "uses multiple interview thresholds linked to the interview elements for controlling execution of the interview elements," and (ii) an interviewing mechanism that "uses patient responses to the screening questions to determine the multiple interview thresholds, wherein the multiple interview thresholds determine the branching structure of the patient interview."

For at least these reasons, Applicants respectfully assert that the rejection under 35 U.S.C. § 103(a) should be withdrawn because Bond et al. does not teach or suggest each feature of independent claim 23. Furthermore, Applicants respectfully assert that dependent claims 24-29, 32-32, and 36-63 are allowable at least because of their dependence from independent claim 23 and the reasons set forth above. Hence,

Applicants respectfully request that the rejection of claims 23-29, 32-32, and 36-63 under

35 U.S.C. § 103(a) be withdrawn.

Claim 64 is Allowable

Applicants have added the new claim 64 to further define the present invention.

Applicants submit that Bond et al. does not disclose each and every feature of

independent claim 64. In particular, Bond et al. does not teach or suggest, among other

things, an interviewing mechanism includes "a pre-selected interview configuration

profile to determine the desired inquiry scope and inquiry depth of a given patient

interview," and (ii) an interviewing mechanism that "executes the thresholds linked to an

interview element by comparing the current thresholds to patient data thereby

determining inquiry scope or inquiry depth, the patient data includes present patient

responses, past patient responses, patient preferences, and patient demographics."

Instead, at column 17, lines 51-67 Bond et al. discloses the serial presentation of

questions to a patient. The responses to the questions are stored in a database.

Subsequent questions may simply depend on the preceding question. Thus, Bond et al.

fails to teach or suggest an interviewing mechanism that compares "the current thresholds

to patient data thereby determining inquiry scope or inquiry depth, the patient data

include present patient responses, past patient responses, patient preferences, and patient

demographics." Therefore, Applicants respectfully assert that new independent claim 64

is in *prima facie* condition for allowance.

Conclusion

In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration and the timely allowance of all pending claims. Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicants' undersigned representative at 202.739.5271 to expedite prosecution.

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.1 36(a)(3).

Respectfully submitted,

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